Contractor Qualifications

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OVERVIEW

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STANDARDS

Responsive – Contractor meets requirements of the solicitation as written, without exception

Responsible (see FAR 9.104-1) – Contractor has:

- adequate financial resources or ability to obtain;
- ability to comply with required or proposed delivery schedule;
- satisfactory performance record;
- satisfactory record of integrity and business ethics;
- necessary organization, experience, accounting and operational controls, and technical skills or ability to obtain;
- necessary production and technical equipment or ability to obtain;

OR

- contractor is otherwise qualified and eligible to receive award under applicable laws and regulations

Determination and Documentation

- **Contracts may be awarded only to responsible contractors.**
- **No purchase or award shall be made unless the Contracting Officer makes an affirmative determination of responsibility.**
- **File documentation usually consists of memo to file verifying the apparent successful offeror's compliance with the requirements of FAR 9.104-1, as well as past performance documentation, e.g. MOCAS summary. If applicable, Preaward Survey (PAS) results or Certificate of Competency (COC) issuance should be referenced in the memo to file.**

See FAR 9.104-1 and 9.105-2

Sources of Information

- Excluded Parties List
- Records and experience data
- Preaward Survey (PAS)
- Mechanization of Contract Administration System (MOCAS)
- Information provided by prospective contractor

Central Contractor Registration (CCR)

- Database of basic business information from contractors wishing to do business with the DoD
- All US Contractors MUST be registered in CCR
- Contracting Officer responsible for verification
- Access CCR website at https://www.ccr.dlis.dla.mil/ccr/scripts/index.html , then “Search CCR Database” for specific contractor info (by CAGE code, DUNS number, or company name) and print copy of page

Preaward Survey (PAS)

- **May be used when information on hand or readily available to Contracting Officer is not sufficient to make a determination regarding responsibility.**
- **Before award or initiation of a PAS, always verify prospective contractor is not debarred, suspended, or ineligible by accessing the "Excluded Parties List" at http://epls.arnet.gov/**
- **If initiating a PAS, Contracting Officer shall complete Standard Form (SF) 1403, entitled "PREAWARD SURVEY OF PROSPECTIVE CONTRACTOR (GENERAL)" specifying the factors to be investigated and evaluated.**
- **SF 1403 is forwarded to the surveying activity, usually the cognizant Contract Administration Office (CAO), for evaluation.**

See FAR 9.106

Certificate of Competency (COC)

- **Upon determining an apparent successful small business offeror to be nonresponsible, the Contracting Officer shall forward a Certificate of Competency (COC) Referral Letter and a Determination of Nonresponsibility to the local Small Business office (BC).**
- **The Small Business Administration (SBA) area office may issue a COC, stating the holder is responsible for the purpose of receiving and performing a specific Government contract.**
- **The COC program empowers the SBA to certify to all elements of responsibility on behalf of any small business concern to enable award of a Government contract.**

See FAR 19.6

See FAR 19.6

COC
(con't)

- **Within 15 days after receipt of a COC referral letter, the SBA area office:**
  - **Informs the small business of the PCO Determination of Nonresponsibility**
  - **Offers the small business the opportunity to apply for SBA COC**
  - **Evaluates the COC applicant**
  - **Notifies the local Small Business office (BC) and the Contracting Officer of COC issuance or denial**

COC
(con't)

- **The Contracting Officer shall award the contract to the small business in question if SBA issues a COC after receipt of the referral letter;**

OR

- **The Contracting Officer shall proceed with the acquisition and award the contract to another appropriately selected and responsible offeror if SBA has not issued a COC within 15 business days after receipt of the referral letter (unless a longer period of time is agreed upon with SBA)**

Questions